

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION
AND TRANSMISSION SITING

In the Matter of:

ELECTRONIC APPLICATION OF MT OLIVE)	
CREEK SOLAR, LLC FOR A CERTIFICATE OF)	
CONSTRUCTION FOR AN APPROXIMATELY 60)	CASE NO.
MEGAWATT MERCHANT ELECTRIC SOLAR)	2020-00226
GENERATING FACILITY IN RUSSELL COUNTY,)	
KENTUCKY PURSUANT TO KRS 278.700 AND)	
807 KAR 5:110)	

ORDER

The matter is before the Siting Board upon a motion filed by Mt Olive Creek Solar, LLC (Mt Olive Creek) on September 18, 2020. The motion requests approval to conduct a second public meeting as well as approval of the proposed format of the second public meeting. In support of the motion, Mt Olive Creek states that, pursuant to the Siting Board's July 21, 2020 Order, a public meeting was conducted in the format that had been approved by the Siting Board to take into account the public gathering and social distancing requirements that were in place due to the COVID-19 State of Emergency. Subsequent to that public meeting, which was held on August 6, 2020, Mt Olive Creek Solar informs that it purchased an additional parcel of land consisting of 12 acres. This new parcel creates six new adjoining properties to the proposed solar facility site. The motion notes that KRS 278.706(2)(f) requires that a public meeting be scheduled and conducted in the county where the proposed facility will be constructed. That statute also requires notice of the meeting to be mailed to all owners of property adjoining the proposed facility. The motion states that personal notice of the

August 6, 2020 public meeting was not provided to the new adjoining property owners. Accordingly, Mt Olive Creek Solar now proposes to hold another public meeting, specifically for the purpose of providing opportunity for the new adjoining landowners to participate. The motion notes that because a public meeting in compliance with the Commission's July 21, 2020 Order has already been held, Mt Olive Creek Solar proposes the following format for the second public meeting, which is proposed to be scheduled on October 8, 2020:

- 1) Notice will be published two weeks before the second public meeting in *The Times Journal* and direct notice by letter will be mailed only to the new adjoining landowners and not the other adjoining landowners who had already received direct notice of the first public meeting.
- 2) The notice mailed to the new adjoining landowners will request that they contact Mt Olive Creek Solar two or more days prior to the scheduled meeting to advise if they want to attend the meeting in-person. If no new adjoining landowner, or member of the public, notifies Mt Olive Creek Solar that they wish to participate in-person, the public meeting will solely be a virtual meeting. If a landowner or member of the public wishes to participate in-person, the public meeting will be projected for viewing "live" at a physical location in Russell County to be communicated to each individual who signs up to attend in person, at which a Mt Olive Creek Solar representative will be present and a mechanism will be provided for any in-person attendees to address questions to Mt Olive Creek Solar representatives;

- 3) The notice published in the local newspaper will indicate that the meeting will be held on-line unless an in-person meeting is requested, and will communicate instructions for how to notify Mt Olive Creek Solar at least two days in advance in order to request an in-person meeting. All notices of the public meeting will specify how the public can access and participate in the public meeting via the on-line virtual platform;
- 4) All representatives and experts making presentations for Mt Olive Creek Solar at the public meeting will do so via a live virtual platform (such as Zoom);
- 5) The virtual platform used for the public meeting will allow members of the public to view the public meeting live, online, without cost, by registering with a valid email address, and will allow participants to ask Mt Olive Creek Solar representatives questions about the project, either orally or in writing.

Having reviewed the motion and being otherwise sufficiently advised, the Siting Board finds that Mt Olive Creek's request is reasonable and should be approved. The Siting Board notes that the second public meeting will allow Mt Olive Creek to comport with the notice requirements of KRS 278.706(2)(f) with respect to the new adjoining property owners and the proposed format is reasonable in light of the current public gathering limitations and social distancing requirement imposed during the COVID-19 State of Emergency in Kentucky.

IT IS THEREFORE ORDERED that:

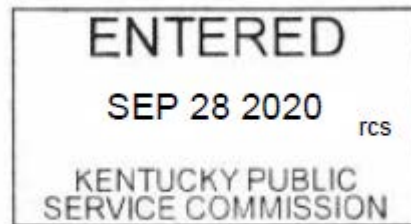
1. Mt Olive Creek's motion for a second public meeting and the proposed format of the second public meeting is granted.

2. Within three days of the publication of the public notice, Mt Olive Creek shall submit a copy of the newspaper advertisement that will notify the public of the proposed public meeting format.

3. Within three days of the mailing of the notice to adjacent property owners, Mt Olive Creek shall submit a copy of the notice of the public meeting format that is required to be provided to new adjacent property owners to the solar project.

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By the Kentucky State Board on Electric
Generation and Transmission Siting



ATTEST:

A handwritten signature in blue ink, appearing to be "H. C. L.", written over a horizontal line.

Acting Executive Director
Public Service Commission
on behalf of the Kentucky State
Board on Electric Generation
and Transmission Siting

*Mt. Olive Creek Solar, LLC
400 West Main Street
Suite 503
Durham, NORTH CAROLINA 27701

*James W Gardner
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507